

Original - Court
1st copy - Plaintiff
2nd copy - Defendant
3rd copy - Friend of the Court

Approved for use in pilot, SCAO

STATE OF MICHIGAN JUDICIAL
CIRCUIT COUNTY

CASE NO.

PRISONER MOTION TO MODIFY SUPPORT
IN PRO PER

Court address
Plaintiff's name, address, and telephone no.

Court telephone no.

Moving party

v

Defendant's name, address, and telephone no.

Moving party

Third party's name, address, and telephone no.

- 1 The most recent court order for child support is dated. _____ [month, day, and year]
- 2 I am ordered to pay \$ _____ every _____ [week, month, etc.]
- 3 Conditions as to the child support have changed, and due to my incarceration, I cannot pay the amount ordered.
- 4 Attached is a completed Prisoner Information Addendum and a prisoner account statement listing my income and assets.
5. I REQUEST that the court enter
 - a. an order that changes my child support to an appropriate amount based on my ability to pay while I am in prison as well as after my release. I also request that the court allow my participation in the hearing on this motion by telephone or other electronically reliable means as permitted by MCR 3.210(A)(4) or 3.215(D)(3).
 - b. the attached Uniform Child Support Order agreed to by me and _____
name of other party

Date

Signature

NOTE: If you are the non-moving party, you can respond to this motion without an attorney by completing form FOC 51 and filing it with the court. Contact the friend of the court office to request the form.

PRISONER MOTION TO MODIFY SUPPORT

Complete this form by filling in all of the following information. Use your court papers from your child support case to complete the top half of the form.

If you don't have your court papers, you may request the information you need to complete this form by writing to either the friend of the court in the county where your case was originally filed or to Central Functions Unit, Office of Child Support, P.O. Box 30478, Lansing, MI 48909. Make sure you ask for the plaintiff and defendant names, the court case number, the name of the court, the court address, and the court telephone number.

Starting in the left-hand corner of the form:

- Write in the judicial circuit number and the county name.
- If you are filing the forms without the help of an attorney, check the "In Pro Per" box under the title of the form.
- Write in the case number.
- Write in the court address and telephone number.
- Write in the plaintiff name and defendant name only. Just because you are requesting a change does not make you the plaintiff. The person that started the original case is the plaintiff.
- Since you are requesting a change in your child support, check the box that says "moving party" next to your name.
- Do not fill in the plaintiff or defendant addresses or any 3rd party information - the court will do this.
- In item 1, write in the date of the most recent court order setting your current child support amount. Write "unknown" if you don't know the information requested.
- In item 2, write in the total amount you were ordered to pay (add together the current support, child care, and health care amounts) and how often you were to pay it (every week or every monthly). Write "unknown" in each blank for which you don't know the information requested.
- Check box 5a if you and the other party do not both agree to a change in child support. If you check this box, do not check box 5b. If you already owe back support, write in: "I am also requesting that, while I am incarcerated, the court suspend the surcharge on any back support that I owe."
- Check box 5b and write in the name of the other party if you and the other party have both agreed to a change in child support and the Uniform Child Support Order (form FOC 10/52) has been completed and signed by both of you. Make sure the order is filled in properly, especially the listing of the child support amount agreed upon by you and the other party. Attach the completed and signed Uniform Child Support Order to this motion.
- Date and sign this form.
- File this form with the court along with a completed Prisoner Affidavit and Order for Suspension of Fees/Costs (form FOC 111).

Attach a completed Prisoner Information Addendum (form FOC 110) and a copy of your prisoner account statement.

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STATE OF MICHIGAN
JUDICIAL CIRCUIT
COUNTY

PRISONER AFFIDAVIT AND ORDER
FOR SUSPENSION OF FEES/COSTS
IN PRO PER

CASE NO.

Court address

Court telephone

Plaintiff's name, address, and telephone no.

v

Defendant's name, address, and telephone no.

I, [your name], _____

Prisoner name

Prison offender number

1. I am currently incarcerated and have no income have a reduced income and a limited ability to earn income.
2. I am unable to pay the fees and costs of this action because of indigence and ask the court to suspend them.
3. I understand that the court may order me to repay the fees and costs if the reason for the waiver or suspension no longer exists.

(You must sign the affidavit in the presence of a notary)

Prisoner signature

Subscribed and sworn to before me on _____, 200_ in _____ County, Michigan
My commission expires:

Signature

Notary public, State of Michigan, County of _____

ORDER

IT IS ORDERED:

- The fees and costs required in this action are waived/suspended until further order of the court.
- This application is denied. (The Order is completed by the court)

Date

Judge

PRISONER AFFIDAVIT AND ORDER FOR SUSPENSION OF FEES/COSTS

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- Write in the case number.
- Write in the court address and telephone number.
- Write in the plaintiff name and defendant name only. Just because you are requesting a change does not make you the plaintiff. The person that started the original case is the plaintiff.
- Do not fill in the plaintiff or defendant addresses - the court will do this.
- Under the Affidavit, write in your name and your prisoner offender number.
- In item 1, check the box that applies to you - check only one box.
- Take this form to a notary public so that the notary can see you sign the form. Your counselor or ARUM can assist you with this.
- After the notary takes your oath, sign the form. After you sign the form, the notary will date and sign under your name.

* Attach this form to your Prisoner Motion to Modify Support (form FOC 109). The court will complete the Order.